

3. Defendant Hartline Barger, LLP is a law firm registered under the laws of Texas with its headquarters or principal place of business in Texas. At all times relevant, Hartline was in the business of practicing law.

JURISDICTION

4. This Court has jurisdiction over this lawsuit under 28 U.S.C. § 1332(a)(1) because complete diversity exists and the amount in controversy exceeds \$75,000.00 exclusive of interests and costs.

VENUE

5. Venue is proper in this District under U.S.C. § 1391(a) because the acts or omissions giving rise to this claim occurred within this District.

FACTS

6. Prior to January 10, 2020, Thompson was an employee of Hartline as a legal secretary. She began working at Hartline on or about December 18, 2017 as a temporary receptionist. Hartline acknowledged her worth when it hired Thompson permanently as a file clerk. After eight months of hard work and good reviews from Hartline's management, she was promoted to the job of legal secretary.

7. Upon becoming a legal secretary inuendo, subtle threats, and a hostile work environment began to take shape. Thompson began experiencing prejudicial treatment. In particular, Hartline distributed emails degrading and ridiculing Thompson's performance publicly. Thompson brought Hartline's abhorrent behavior to the attention of Hartline management only to experience even more degradation. In fact, she was socially segregated and maliciously forced to accept unfair treatment in order to keep her job. Hartline's cruel and unusual punishment became intolerable. However, due to Thompson's medical condition she was forced to tolerate the abuse. Even though Thompson was at risk of losing her job and consequently her health insurance, she informed management of the mental torture she endured. Upon learning of her abuse, Hartline fired her.

8. Following her termination, Paige filed a complaint with EEOC (Charge number 450-2020-04858) in March 2020. Processing the complaint was suspended while Paige obtained additional documentation requested by EEOC. Thereafter, the pandemic struck and EEOC rescheduled to August 2020 its processing of Paige's complaint. Paige signed her charge in mid August 2020 and the EEOC representative advised Paige that it would notify the firm of the charge but would also go forward with the issuance of a right to sue letter because of the delay caused by the pandemic. As such, the EEOC issued the right to sue letter on August 26, 2020.

9. In view of the above, it's concluded the evidence clearly supports a prima facie case of retaliation, i.e., several adverse actions were taken against Paige shortly after she participated in a protected activity (making a racial discrimination claim). See Garcia v. Professional Contract Services Inc. 938 F3d. 236, 243 (5 Cir. 2019). In this regard, Mr. Elkind's apparent objection to Paige's accommodation (workday ends at 1530) and Mr. Haylock's refusal to grant Paige's request to be separated from other office personnel who were harassing her are troublesome.

COUNT I – Discrimination based on race and disability - 42 USCS § 2000e-2a

10. Plaintiff Paige Thompson re-allege and incorporate paragraphs 1 through 9 above as though set forth fully herein.

11. Having been diagnosed with breast cancer, Paige in January 2019 requested a change in work schedule (0700-1530) in order to receive treatments and make other medical appointments. Everyone on her team agreed. In August 2019, however, she was severely criticized by one of the team attorneys, Steven Elkind, for being absent in the late afternoon. As a result, the office administrator at the time — Jane West - reassigned Paige to different attorneys - Jennifer DeVlugt and Christopher Allison — and a different paralegal, Susan Sanders. .

12. Upon joining her new team, however, Paige was immediately ostracized by Ms. Sanders and by another legal secretary — Robin Puntenney — who sat nearby. These two firm employees refused to speak to Paige unless it was to give instructions or to criticize. The situation deteriorated to the point that it was affecting Paige's mental and physical health. Her condition was so bad that Paige's oncologist withheld her cancer treatment and demanded that Paige go to HR for assistance. In September 2019, Paige complied with her oncologist's demand and contacted the new office administrator, George Haylock. At this meeting she filed a complaint with Mr. Haylock that she was being harassed/ostracized because of her race. In addition, she requested to be physically relocated away from Ms. Puntenney as an accommodation necessary for her to perform her assigned tasks. Mr. Haylock consulted with the managing partner Larry Grayson who refused Paige's requested accommodation. Subsequently, in October, Paige was relocated but only because Robin Puntenney needed Paige's desk to train a new hire (Alycia).

13. WHEREFORE, Plaintiff Paige Thompson respectfully request judgment in their favor and against Defendant Hartline Barger L.L.P., for at least approximately \$50,000, together with costs, interest, and any other relief deemed appropriate by the Court.

COUNT II – Retaliation

14. Plaintiff Paige Thompson re-allege and incorporate paragraphs 1 through 12 above as though set forth fully herein.

15. In November 2019, Mr. Elkind once again demanded that Paige do work for him even though he was not one of her assigned attorneys. Paige reminded Mr. Elkind that she no longer worked for him and that she was very busy performing trial prep for her assigned attorney. Mr. Elkind then complained to Ms. DeVlugt who instructed Paige to do whatever Mr. Elkind wanted. Paige responded to Ms. DeVlugt's email and copied Mr. Haylock. As a result, Mr. Haylock suspended Paige one day without pay for "work performance," "attitude," and for "moving desks."

16. Upon Paige's return, Mr. Haylock then placed Paige on a 30 day probation. During this period, however, no one met with her to discuss her performance. The probation ended in late December 2019, and, subsequently, on January 10, 2020, the firm terminated Paige without explanation.

17. WHEREFORE, Plaintiff Paige Thompson respectfully request judgment in their favor and against Defendant Hartline Barger L.L.P., for at least approximately \$50,000, together with costs, interest, and any other relief deemed appropriate by the Court.

18.

Respectfully Submitted,

By: s/ Paige Thompson
Pro Se
2634 Santa Cruz Drive
Dallas, Texas 75227
Pro Se Plaintiff

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
Northern District of Texas

Paige Ann Thompson

Plaintiff

v.

Hartline Barger L.L.P.

Defendant

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Hartline Barger L.L.P.
8750 North Central Expressway
Suite 1600
Dallas, Texas ~~7520~~ 75231

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Paige Thompson - PRO se
2634 Santa Cruz Drive
Dallas, Texas 75227

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

JS 44 (Rev 10/20) - TXND (Rev 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Paige Ann Thompson

(b) County of Residence of First Listed Plaintiff Dallas
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro Se

DEFENDANTS

Hartine Barger L.L.P.

County of Residence of First Listed Defendant Dallas

(IN U.S. PLAINTIFF CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED)

Attorneys (If Known)

NOV 24 2020

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Cases Only)

- Citizen of This State ☒ 1 DEF ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 470 Racketeering Influence and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 495 Securities/Commodities/Exchange
					<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> Habeas Corpus:		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee		<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence			<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General			<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty			<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer w/Disabilities - Other	<input type="checkbox"/> 540 Mandamus & Other			<input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 550 Civil Rights			
		<input type="checkbox"/> 555 Prison Condition			
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify)

- ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)

Title VII - Civil Rights Act of 1964

Brief description of cause:

Discrimination based on race & disability & Retaliation

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

50,000

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

11/23/2020

SIGNATURE OF ATTORNEY OF RECORD

Paige Thompson - Pro Se

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE